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6 CHIPMOS TECHNOLOGIES INC., CHIPMOS TECHNOLOGIES
(BERMUDA) LTD. and CHIPMOS U.S.A., INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

12 CHIPMOS TECHNOLOGIES INC.,
13 CHIPMOS TECHNOLOGIES (BERMUDA)
LTD. and CHIPMOS U.S.A., INC..

Case No.: 4:08-03827 (CW)

14 Plaintiffs.

**JOINT STIPULATION AND [PROPOSED]
ORDER CHANGING THE DATE OF
UPCOMING CASE MANAGEMENT
CONFERENCE AND RELATED DATES**

16 | TESSERA, INC.,

17 | Defendant.

19 TESSERA, INC.

Counterclaimant

ZT | VS

22 CHIPMOS TECHNOLOGIES INC.,
23 CHIPMOS TECHNOLOGIES (BERMUDA)
LTD. and CHIPMOS U.S.A. INC.

Counterclaim Defendants

1 1. WHEREAS, this Court stayed the case known as *Tessera, Inc. v. Advanced Micro*
 2 *Devices, Inc. et al.*, Case No. C 05-04063 (CW) (the “AMD case”) by its order of May 24, 2007
 3 with respect to International Trade Commission Investigation 337-TA-605 “until the
 4 determination of the ITC, including appeals becomes final,” and WHEREAS, on August 5, 2008
 5 the Court ordered that the stay of the AMD case “shall be extended until a determination in the
 6 International Trade Commission Investigation 337-TA-649, including appeals, becomes final;”
 7 and

8 2. WHEREAS, the Court issued a Related Case Order on September 11, 2008 in the
 9 AMD case finding that the three cases known as, *Siliconware Precision Industries Co., Ltd. et*
 10 *al. v. Tessera*, Case No. C 08-03667 RS; *Advanced Semiconductor Engineering Inc., et al. v.*
 11 *Tessera*, Case No. C 08-03726 EMC; and *Chipmos Technologies Inc. et al. v. Tessera, Inc.*, Case
 12 No. C 08-03827 CW, were related to the AMD case (these three cases are collectively the
 13 “Related Cases”); and

14 3. WHEREAS the parties in the AMD and Related Cases, by their undersigned
 15 counsel, report to the Court that the current status of the pending International Trade
 16 Commission Investigation 337-TA-605 is that the Final Determination is under appeal to the
 17 Federal Circuit in Case Number 09-1460. The appeal is now fully briefed and oral argument is
 18 scheduled for June 9, 2010, and;

19 4. WHEREAS the parties in the Related Cases, by their undersigned counsel, report
 20 to the Court that the current status of the pending International Trade Commission Investigation
 21 337-TA-649 is that on August 7, 2009, the Commission issued a Notice of Determination Not To
 22 Review An Initial Determination Granting Complainant’s Motion to Terminate The
 23 Investigation; Termination of Investigation thereby making the termination of the investigation
 24 final; and

25 5. WHEREAS, since a final resolution of ITC’s 337-TA-605 investigation,
 26 including appeals, is unlikely to occur before December 1, 2010, the parties in the Related Cases

1 believe that it would be most efficient to further postpone the case management conference and
2 related activity in the AMD case and the Related Cases until December 14, 2010; and

3 6. WHEREAS, the parties in the Related Cases agree that there would be no
4 prejudice to the parties in moving the case management conference, as those cases are currently
5 stayed;

6 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the
7 parties in the AMD case and in the Related Cases, through their undersigned respective attorneys
8 of record, based on the foregoing, and subject to the approval of this Court, that:

9 1. The case management conference currently scheduled for June 22, 2010 at 2:00
10 p.m. in the AMD case and the Related Cases shall be rescheduled for 12/14/2010 at 2:00
11 p.m., or as soon thereafter as the Court is available;

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13 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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15 Dated this 11th day of June 2010.



16 Honorable Claudia Wilken
United States District Judge

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1 Submitted by:

2 Dated: June 8, 2010

/s/

3 Robert E. Camors, Jr.
4 FOLEY & LARDNER, LLP
5 Attorney for Plaintiffs ADVANCED
6 SEMICONDUCTOR ENGINEERING, INC., ASE
7 TEST LIMITED, and ASE (U.S.) INC.

8 Dated: June 8, 2010

/s/

9 Michael Heafey
10 ORRICK, HERRINGTON & SUTCLIFFE
11 Attorney for Plaintiffs SILICONWARE PRECISION
12 INDUSTRIES CO., LTD. and SILICONWARE
13 U.S.A.

14 Dated: June 8, 2010

/s/

15 Lawrence E. Butler
16 SEYFARTH SHAW LLP
17 Attorney for Plaintiffs CHIPMOS TECHNOLOGIES
18 INC., CHIPMOS TECHNOLOGIES (BERMUDA)
19 LTD. and CHIPMOS U.S.A., INC.

20 Dated: June 8, 2010

/s/

21 Michael B. Smith
22 GIBSON, DUNN & CRUTCHER LLP
23 Attorney for Defendant TESSERA, INC.

24 Concurrence in the filing of this document has been obtained from the signatories listed
25 above.

26 Dated: June 8, 2010

27 SEYFARTH SHAW LLP

/s/

28 Lawrence E. Butler

29 Attorney for Plaintiffs CHIPMOS TECHNOLOGIES
30 INC., CHIPMOS TECHNOLOGIES (BERMUDA)
31 LTD. and CHIPMOS U.S.A., INC.

1 **Attestation Pursuant to General Order No. 45, Section X**

2 I hereby attest that I have on file all holograph signatures for any signatures indicated by
3 a "conformed" signature (/s/) within this efiled document.

4 Dated: June 8, 2010

/s/ Laurence E. Butler

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